

REMARKS

Claims 13, 22, and 23 have been amended, claims 1-7, 21, 24, and 25 have been canceled, and claims 26-35 have been added. As such, claims 13-20, 22, 23, and 26-35 are currently pending in the case. Further examination and reconsideration of the presently claimed application are respectfully requested.

Allowed Claims

Applicant appreciates the Examiner's allowance of claims 19 and 20 and eagerly awaits formal allowance of the remaining claims.

Section 112, 2nd Paragraph, Rejection

Claim 23 was rejected under 35 U.S.C. § 112, second paragraph, for being indefinite. Claim 23 has been amended to correct its dependency from claim 1 to claim 13, making claim 23 definite. Accordingly, removal of this rejection is respectfully requested.

Section 102 Rejections

Claims 1-7 and 21-23 were rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 6,130,163 to Yi et al. (hereinafter referred to as "Yi"). Claims 1-7, 22, and 23 have been canceled rendering rejection thereto moot. Claim 21, now dependent upon claim 13, is asserted to be in condition for allowance for reasons set forth below. Accordingly, removal of this rejection is respectfully requested.

Section 103 Rejections

Claims 13-18 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yi in view of U.S. Patent No. 6,494,985 to Sotozaki et al. Claims 24 and 25 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Yi in view of U.S. Patent No. 5,738,574 to Tolles et al. Claims 24 and 25 have been canceled rendering rejection thereto moot. In order to expedite prosecution, claim 13 was amended in a previous response to the present Office Action. In response thereto, an Advisory Action was issued and stated that the Applicant's reply had overcome the rejection of claims 13-18 and newly amended claims 13-18 would be allowable if submitted in a separate, timely filed amendment canceling the non-allowable claims. This present response serves to submit such amendments to claim 13 and cancel non-

allowable claims 1-7, 21, 24, and 25 to place the case in condition for allowance. The arguments presented in the previous response to the Office Action are submitted below to highlight the differences between the cited art and amended claim 13.

To establish a *prima facie* obviousness of a claimed invention, all claim limitations must be taught or suggested by the prior art. *In re Royka*, 490 F.2d 981, 180 U.S.P.Q. 580 (C.C.P.A. 1974), MPEP 2143.03. Obviousness cannot be established by combining or modifying the teachings of the prior art to produce the claimed invention, absent some teaching or suggestion or incentive to do so. *In re Bond*, 910 F. 2d 81, 834, 15 USPQ2d 1566, 1568 (Fed. Cir. 1990). The cited art does not teach or suggest all limitations of claims 13-18, some distinctive limitations of which are set forth in more detail below.

None of the cited art teaches or suggests polishing a semiconductor topography with a polishing pad having residual amounts of a polishing solution thereon and depositing water on the polishing pad in a plurality of dispense intervals subsequent to the start of and during the step of polishing the topography. Amended claim 13 recites, in part:

A method for processing a semiconductor topography, comprising: ... subsequently polishing the semiconductor topography with the polishing pad having residual amounts of the polishing solution thereon; and depositing water on the polishing pad in a plurality of dispense intervals during the step of subsequently polishing the semiconductor topography ... wherein the step of depositing the water is conducted subsequent to starting the step of subsequently polishing the semiconductor topography.

Support for such limitations may be found, for example, on page 25, lines 26-28 of the Specification, "Water may be deposited upon the polishing pad in relatively short dispense intervals that may include every other phase of the polishing (i.e., the second, fourth, and sixth phases)." Although Sotozaki teaches gradually increasing the amount of water added to a polishing pad during a polishing process, Sotozaki fails to teach dispensing water subsequent to the start of polishing a topography. In fact, Sotozaki specifically refers the process in which water is gradually added to a polishing pad as "water polishing" (see column 8, lines 29-40). There is no teaching or suggestion of delaying the deposition of water of the polishing pad during such a process or any teaching or suggestion of what purpose such a delay would serve. Yi and Tolles do not appear to teach or suggest depositing water directly on to a polishing pad during a polishing process and, therefore, cannot be used to overcome the deficiencies of Sotozaki. As such, none of the cited art, taken alone or in combination, teaches or suggests the limitations of claim 13.

For at least the reasons set forth above, none of the cited art teaches or suggests the limitations of claim 13. Consequently, claim 13 and claims dependent therefrom are patentably distinct from the cited art. As noted above, claims 24 and 25 have been canceled. Accordingly, removal of this rejection is respectfully requested.

Added Claims

Added claims 26-35 are dependent upon allowable independent claims 13 and 19. Accordingly, they are allowable for the same reasons as their respective base claim. Therefore, Applicants respectfully request approval of added claims 26-35.

CONCLUSION

This response constitutes a complete response to the issues raised in the final Office Action mailed June 2, 2004 and the Advisory Action Mailed August 25, 2004. In view of the remarks traversing the rejections, Applicants assert that pending claims 13-20, 22, 23, and 26-35 are in condition for allowance. If the Examiner has any questions, comments, or suggestions, the undersigned attorney earnestly requests a telephone conference.

PETITION FOR EXTENSION OF TIME

Applicant respectfully petitions the Commissioner for a one month extension of time under 37 C.F.R. § 1.136 within which to respond to the Office Action mailed June 2, 2004, such extension allowing the undersigned until October 4, 2004 to respond.

The Commissioner is authorized to charge the required fees or credit any overpayment to Conley Rose, P.C. Deposit Account No. 50-3268/5298-07600.

Respectfully submitted,



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